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Promotion and protection of the rights of children

Report of the Secretary-General on the issue of child, early and forced marriage

Summary

The present report is submitted pursuant to General Assembly resolution 71/175 of 17 November 2016 on child, early and forced marriage and builds on the previous report of the Secretary-General on the same subject (A/71/253).

The present report presents an overview of progress in efforts to eliminate child, early and forced marriage during the period from June 2016 to May 2018.

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I. Introduction

1. General Assembly resolution 71/175 of 17 November 2016 on child, early and forced marriage took note with appreciation of the report of the Secretary-General (A/71/253) and requested the Secretary-General to submit a comprehensive report on progress towards ending child, early and forced marriage worldwide, before the end of its seventy-second session.

2. A note verbale was sent on 22 September 2017, requesting information from Member States and other stakeholders. As at 15 March 2018, 24 responses had been received from Member States,[1] 10 from national human rights institutions,[2] and 12 from United Nations bodies and civil society organizations.[3] The present report is based on these submissions, available in full on the website of the Office of the United Nations High Commissioner for Human Rights.[4]

3. The prevalence of child marriage is decreasing globally, according to available data, with the proportion of women who were married as children having decreased by 15 per cent in the past decade.[5] According to the United Nations Children's Fund (UNICEF), the total number of girls married in childhood is estimated at 12 million a year. Progress in the last decade has resulted in an accumulated global reduction of 25 million fewer child marriages than would have been anticipated at all levels a decade ago.[6] Despite this global trend, the prevalence rates of child marriage, early union and adolescent pregnancy remain high, particularly in some regions.

4. Overall, during the reporting period, from June 2016 to May 2018, there has been increasing attention and action to eliminate child, early and forced marriage. However, gaps still remain both in legal and policy frameworks and in ensuring the sustainability of efforts to end the practice.

II. Developments at the international and regional levels

5. Since the international community agreed on the Sustainable Development Goals, including Goal 5.3 on the elimination of harmful practices such as child, early and forced marriage, increasing attention to this issue has been paid at the international and regional levels by mechanisms to end child, early and forced marriage, resulting in important political commitments and normative, policy and programmatic guidance.

6. In its resolution on the girl child,[7] the General Assembly explicitly acknowledged the severe impact of child, early and forced marriages on girls' enjoyment of their

[1] Member States include Albania, Australia, Azerbaijan, Burundi, Chile, Colombia, Cuba, France, Lebanon, Iraq, Kuwait, Mauritius, Mexico, Honduras, Oman, Uganda, Switzerland, Turkey, Slovenia, Spain, the Sudan, the Syrian Arab Republic, the United States of America and Zambia.

[2] National human rights institutions from the following countries submitted information: Armenia, Bolivia (Plurinational State of), Colombia, France, Jordan, Honduras, Guatemala, Mexico, Serbia and Sri Lanka.

[3] Aide Rapide aux Victimes des Catastrophes-Democratic Republic of the Congo, Asia Pacific Alliance, Association nationale de la promotion et protection des droits de l'homme, Centre for Reproductive Rights, Girls Not Brides, Journalists and Writers Foundation, Plan International, Save the Children, Save the Children and Oxfam Mexico, Youth Association for Development, United Nations Population Fund (UNFPA) and United Nations Children's Fund (UNICEF).

[4] See www.ohchr.org/EN/Issues/Women/WRGS/Pages/Documentation.aspx.

[5] See E/2017/66 and UNICEF, "25 million child marriages prevented in last decade due to accelerated progress, according to new UNICEF estimates", press release, 6 March 2018. Available at www.unicef.org/eca/press-releases/25-million-child-marriages-prevented.

[6] UNICEF, "25 million child marriages prevented".

[7] General Assembly resolution 72/154.

human rights and as a cause and a consequence of violations of other rights. The General Assembly urged States to enact, uphold and strictly enforce laws and policies aimed at preventing and ending child, early and forced marriage and protecting those at risk, and to ensure that marriage is entered into only with the informed, free and full consent of the intending spouse. Numerous further resolutions by the General Assembly and the Human Rights Council reiterate the need for States to consider the impact of child, early and forced marriage in relation to issues such as birth registration, maternal mortality or disability.[8]

7. The diversity of contexts in which child, early and forced marriage occurs has been recognized, and attention to specific settings, in particular humanitarian settings and armed conflict, has been increased. The Human Rights Council dedicated resolution 35/16 of June 2017 to the issue of child, early and forced marriage in humanitarian settings, noting that the practice is highly exacerbated in those settings and urging States to develop and implement holistic, comprehensive and coordinated responses, strategies and policies to prevent, respond to and eliminate child, early and forced marriage.[9] The Secretary-General and the Human Rights Council also reported on the harmful practice in their respective reports on children in armed conflict and the rights of the child in humanitarian settings.[10] Furthermore, concern about child, early and forced marriage was expressed in multiple country-specific resolutions and with regard to women and girls in rural areas.[11]

8. United Nations human rights mechanisms have provided further guidance in relation to the elimination of child, early and forced marriage. The Committee on the Elimination of Discrimination against Women, in its general recommendation No. 35 on gender-based violence against women, highlights in particular the importance of repealing discriminatory laws, including provisions that allow child, early and forced marriage or that waive prosecution or punishment of sexual assault where the victim is subsequently married to the perpetrator.[12] The Committee on the Elimination of Discrimination against Women and the Committee on the Rights of Persons with Disabilities also stress the mutually reinforcing impact of child, early and forced marriages on interconnected human rights, such as education.[13] In general comment No. 20 on the implementation of the rights of the child during adolescence, the Committee on the Rights of the Child underlines that child, early and forced marriage is a manifestation and consequence of discrimination and violence during adolescence. The 2017 joint general comment of that Committee and the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families focuses on the human rights of children in the context of international migration and recommends that States establish early identification measures to detect persons who

[8] See General Assembly resolutions on women in development (72/234) and on the situation of women and girls with disabilities (72/162), and Human Rights Council resolutions on preventable maternal mortality and morbidity and human rights (33/18); birth registration and the right of everyone to recognition everywhere as a person before the law (34/15); and accelerating efforts to eliminate violence against women, and engaging men and boys in preventing and responding to violence against all women and girls (35/10).

[9] See Human Rights Council resolution 35/16.

[10] See A/72/361–S/2017/821 and A/HRC/37/33.

[11] See General Assembly resolutions 72/188 (Democratic People's Republic of Korea) and 72/189 (Islamic Republic of Iran), and Human Rights Council resolution 35/35 (Eritrea), and General Assembly resolution 72/148 on the improvement of the situation of women and girls in rural areas.

[12] Committee on the Elimination of Discrimination against Women, general recommendation No. 35 (2017) on gender-based violence against women, updating general recommendation No. 19. See also 2017 concluding observations CEDAW/C/NGA/CO/7-8, CEDAW/C/NER/CO/3-4, CEDAW/C/ROU/CO/7-8, CEDAW/C/FSM/CO/1-3.

[13] Committee on the Elimination of Discrimination against Women, general recommendation No. 36 (2017) on the right of girls and women to education, and Committee on the Rights of Persons with Disabilities, general comment No. 3 (2016) on women and girls with disabilities.

might be at risk of child marriage.[14] Other Committees, in their concluding observations, have also issued recommendations to States parties on specific measures that States must take to address child, early and forced marriage.[15]

9. Special procedures of the Human Rights Council have regularly called for the establishment and implementation of legal frameworks to eliminate child, early and forced marriages.[16] They have also recognized the interrelationship between child, early and forced marriage and other human rights violations, such as violations of the right to education and the right to freedom of religion or belief.[17] Specific references to eradicating child, early and forced marriage have also been made in their thematic reports.[18]

10. Regional organizations have also focused on the eradication of child, early and forced marriage during the reporting period. Notably, in January 2018, the African Commission on Human and Peoples' Rights and the African Committee of Experts on the Rights and Welfare of the Child adopted a joint general comment on ending child marriage.[19] The general comment notes that the prevalence of child marriage and its impacts are a major concern on the African continent. It outlines specific obligations stemming from article 6 (b) of the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa and article 21 (2) of the African Charter on the Rights and Welfare of the Child. In March 2018, the African Union, as part of its regional campaign to end child marriage, organized in Kigali the second African Girls' Summit on Ending Child Marriage in Africa. Thus far, 22 countries have signed up to the campaign and committed to accelerate efforts at the national level. In October 2017, a high-level meeting on ending child marriage in West and Central Africa was held in Dakar with the participation of 24 countries from West and Central Africa. The outcome document, the "Dakar Call to Action", calls upon governments to, among others, reinforce the data and evidence base for the development, implementation and monitoring of policies, strategies and programmes to end child marriage. The call to action urges governments to collaborate with relevant stakeholders and in particular to ensure that religious and traditional leaders play a central role in spreading awareness of the dangers of child marriage and in changing social norms around the practice.[20]

11. The Committee of Ministers of the Council of Europe adopted a declaration in September 2017 on the need to intensify efforts to prevent and combat female genital

[14] Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families, joint general comment No. 4 (2017) of the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families/No. 23 (2017) of the Committee on the Rights of the Child on State obligations regarding the human rights of children in the context of international migration in countries of origin, transit, destination and return.

[15] See CCPR/C/BGD/CO/1, CCPR/C/BIH/CO/3, CCPR/C/KAZ/CO/2, CCPR/C/SVN/CO/3, CERD/C/ARM/CO/7-11, E/C.12/AGO/CO/4-5, E/C.12/NAM/CO/1 and CAT/C/FIN/CO/7.

[16] A/72/164, paras. 20, 25, 27 and 85 (c); and A/72/139, para. 59 (l).

[17] A/HRC/34/50, paras. 49 and 50 and A/72/496, para. 32.

[18] For example, the Working Group on the issue of discrimination against women in law and in practice, in their thematic report on reasserting equality, countering rollbacks (A/HRC/38/46), and the report of the Special Rapporteur on violence against women, its causes and consequences on adequacy of the international legal framework on violence against women (A/72/134).

[19] African Commission on Human and Peoples' Rights and African Committee of Experts on the Rights and Welfare of the Child, "Joint general comment on ending child marriage", 2017, available at www.achpr.org/news/2018/01/d321/.

[20] "Ending child marriage in West and Central Africa: the Dakar call to action", outcome document of the high-level meeting on ending child marriage in West and Central Africa Dakar, Senegal, October 2017.

mutilation and child, early and forced marriage in Europe.[21] In December 2017, the Steering Committee for Human Rights of the Council of Europe developed a compilation of good and promising practices aimed at preventing and combating female genital mutilation and forced marriage.[22]

12. In November 2016, the Organization of American States hosted an international forum in Washington, D.C., on child, early and forced marriage and motherhood, to establish priority areas for action,[23] including strengthening data collection.[24] In March 2017, the Committee of Experts of the Mechanism to Follow Up on Implementation of the Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women released a report on sexual violence and child pregnancy. In the report, the Committee expressed concern regarding the continuing discrepancies in the minimum age for marriage between girls and boys, and the broad margin existing in almost all States for exceptions to this minimum age, particularly in case of pregnancy.[25]

13. Other multilateral and donor-led initiatives on child, early and forced marriage also intensified during the reporting period. In June 2017, the joint United Nations Population Fund (UNFPA)-UNICEF Global Programme to Accelerate Action to End Child Marriage published its first progress report.[26]

14. Governments are increasingly including gender equality and the empowerment of women and girls as a priority of their foreign policy, including attention to child, early and forced marriage. For example, the Swiss Government included the topic in its international cooperation 2017–2020, in support to the implementation of Sustainable Development Goal 5.[27] The feminist foreign policy 2015–2018 of Sweden included an explicit focus on defending sexual and reproductive health and rights, including by combating child, early and forced marriages.[28] In 2017, the Canadian Government adopted a feminist international assistance policy, focusing, among others, on support for comprehensive approaches that help address child, early and forced marriages.[29] Child marriage also featured in the efforts under the "She Decides" initiative, which is supported by numerous governments and other institutions.[30]

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[21] Council of Europe, Declaration of the Committee of Ministers on the need to intensify the efforts to prevent and combat female genital mutilation and forced marriage in Europe, adopted by the Committee of Ministers at the 1293rd meeting of the Ministers' Deputies, 13 September 2017.

[22] Council of Europe, "Guide to good and promising practices aimed at preventing and combating female genital mutilation and forced marriage", adopted by the Steering Committee for Human Rights at its 87th meeting, June 2017.

[23] See www.oas.org/en/cim/docs/IDEVAW-ConceptNote-EN.pdf.

[24] Organization of American States, "Let them be children: combatting child and early marriage and union in the Americas", press release, 13 April 2017. Available at www.oas.org/en/media_center/press_release.asp?sCodigo=E-031/17.

[25] Organization of American States and the Follow-up Mechanism to the Belém do Pará Convention, *Hemispheric Report on Child Pregnancy in the States Party to the Belém do Pará Convention* (2016). Available at www.oas.org/es/mesecvi/docs/MESECVI-EmbarazoInfantil-EN.pdf.

[26] UNFPA and UNICEF, *UNFPA-UNICEF Global Programme to Accelerate Action to End Child Marriage: Progress Report 2016*, June 2017.

[27] See www.eda.admin.ch/deza/en/home/sdc/strategy/legal-bases/message-international-cooperation-2017-2020/strategic-objectives.html.

[28] See Sweden, Ministry of Foreign Affairs, "Swedish foreign service action plan for feminist foreign policy 2015–2018 including focus areas for 2017", 2017. Available at www.government.se/information-material/2017/02/swedish-foreign-service-action-plan-for-feminist-foreign-policy-20152018-including-focus-areas-for-2017.

[29] See www.international.gc.ca/gac-amc/campaign-campagne/iap-pai.

[30] See www.shedecides.com.

III. Legislative measures and enforcement of national legislation

15. There has been a sharp increase in efforts to raise the minimum legal age for marriage and address discrepancies between girls and boys in this regard. Since 2012, 15 countries have raised the minimum age to 18 or removed existing exceptions.[31] In 2017, Costa Rica, the Dominican Republic, El Salvador, Germany, Guatemala, Honduras, the Netherlands and Trinidad and Tobago reformed their civil and family codes, raised the minimum age of marriage for boys and girls to 18 and repealed all the exceptions that allowed marriage under this age.[32] For example, El Salvador amended article 14 of its family code, which previously had allowed girls and adolescents under 18 years of age to marry in case of sexual violence and pregnancy. In Malawi, a constitutional amendment was adopted in April 2017 to set the minimum age of marriage, previously at 15 years, at 18 for both sexes.

16. Reportedly, while 88 per cent of countries have established 18 as the legal minimum age of marriage, over 100 countries still legally allow the marriage of children under the age of 18 in certain circumstances,[33] and in many cases marriage is still possible under that age justified by customary or religious laws.[34] For example, Bangladesh, Burkina Faso, Cuba, Jordan, the Niger, Sierra Leone, Slovenia and Zambia have provisions which allow for marriage under 18 years of age, with the permission of a judge or with parental consent, often as early as 15 or 16 years of age.[35] In federal states, even when a minimum age of marriage is set at the national level, state-level exceptions can still be allowed. For instance, in Mexico, most states still allow marriages under 18 years of age, although the federal law established 18 as the minimum age for marriage. In other instances, the implementation of laws on the minimum age of marriage is also hampered by the lack of free and compulsory civil registration laws, which are utilized to evade registration of the marriage until the child reaches 18 years of age.

17. States also reported on enacting legislation criminalizing child marriage. Several sources indicated that Australia, Burundi, Cameroon, Lebanon, Serbia, Spain and Turkey have amended their criminal codes and enhanced sanctions for perpetrators of child, early and forced marriage. In Cameroon, the provisions of the criminal code were amended in 2016 to punish forced marriage by 5 to 10 years' imprisonment and a fine of up to $2,000. Similarly, Australia reported that its Commonwealth Criminal Code Act 1995 criminalizes coercive and or fraudulent ways that force someone to enter into a marriage without their full and free consent. Australia strengthened the sanctions and increased the related penalties to up to nine years' imprisonment in 2015. Spain reported that its amended criminal code now includes child and forced marriage as one of the purposes of trafficking. In 2016, Burundi adopted a law on gender-based violence that criminalizes child marriage. In 2017, Serbia amended its criminal code to criminalize child and forced marriage as

[31] Girls not Brides, "The case for a minimum age of marriage of 18", December 2017.

[32] Parliamentarians for Global Action, "Global parliamentary campaign to end child, early and forced marriage", available at www.pgaction.org/campaigns/cefm.html, and Girls Not Brides, "2017 in review: 6 signs we made progress towards ending child marriage", 19 December 2017, available at www.girlsnotbrides.org/2017-review-6-signs-made-progress-towards-ending-child-marriage/.

[33] See Aleksandra Sandstorm and Angelina E. Theodorou, "Many countries allow child marriage", Pew Research Centre, 12 September 2016. Available at www.pewresearch.org/fact-tank/2016/09/12/many-countries-allow-child-marriage/.

[34] World Policy Analysis Centre, "Assessing national action on protection from child marriage", fact sheet, March 2015. Available at www.worldpolicycenter.org/sites/default/files/WORLD_Fact_Sheet_Legal_Protection_Against_Child_Marriage_2015.pdf, and UNFPA and UNICEF, *2016 Progress Report*. See also Sandstorm and Theodorou, "Many countries allow child marriage".

[35] See also UNFPA and UNICEF *Progress Report 2016*.

part of the harmonization of national legislation with the Council of Europe Convention on Preventing and Combating Violence Against Women and Domestic Violence.[36]

18. The decisions of some high courts have strengthened protection from child marriage. The High Court of Tanzania ruled against national laws that set different minimum legal ages for marriage for girls and for boys.[37] Similarly, on 11 October 2017, the Supreme Court of India ruled that sexual intercourse, even within marriage, with a child under 18 years of age amounts to rape.

19. During the reporting period, some countries have made efforts towards amending provisions which condoned or even encouraged child and forced marriage. For instance, in 2017, Jordan repealed article 308 of its criminal code that allowed perpetrators of rape to avoid prosecution by marrying their victim. Lebanon amended article 522 of the criminal code to prohibit marriage of perpetrators of sexual violence with their victims.

20. Some countries referred to public discussion on amending legislation. For example, the Sudan accepted recommendations on increasing the minimum age for marriage to 18, made during the second cycle of the universal periodic review, and is working on revising its national legislation to that effect. Amendments to the 2015 Domestic Violence Act in Sri Lanka have been drafted to strengthen the legal response to domestic violence and other forms of violence against women and girls, including child, early and forced marriage. The national human rights institution of Mexico mentioned efforts taken to change the civil legislation to end child, early and forced marriages at state level to address inconsistencies that exist in their federal system.

IV. Policies and action plans

21. Evidence shows that national legislation and initiatives to end the practice must be locally contextualized and implemented in a coordinated manner, both horizontally across sectors and vertically to align national policy to local level realities. In the past six years, several countries have launched national strategies or action plans with an explicit focus on addressing child marriage,[38] and at least 20 more countries are developing national strategies.[39] Since the most recent report, some States have taken steps to develop and reinforce their national strategies through coordinated mechanisms. For instance, Burkina Faso developed its "costed plan" through a multisectoral partnership platform and the Niger established a national committee for the coordination of actions aiming at ending child marriage and integrated child marriage into the national action plan for adolescents (2015–2018).[40] In Turkey, the national action plan on combating early and forced marriages (2018–2023) was elaborated with the cooperation and participation of public institutions and civil society organizations. The 2017 Zambia national strategy on child and forced marriage aims to address negative attitudes, behaviours, beliefs and practices in order to reduce children's vulnerability to child marriage. Other countries, including Azerbaijan, Bangladesh, Burundi, France and the Niger, developed action plans which focus on access to information for children and adolescents about sexual and reproductive health rights and services.[41]

[36] Republic of Serbia, Law on Amendments to the Criminal Code, *Official Gazette*, No. 94/16 (November 2016).

[37] See www.girlsnotbrides.org/high-court-tanzania-child-marriage/.

[38] Girls not Brides, "The case for a minimum age of marriage of 18", December 2017.

[39] Ibid.

[40] UNFPA and UNICEF, *Progress Report 2016*.

[41] Ibid.

22. Several submissions emphasized that the enforcement of some action plans is monitored and supported through specific measures or institutions. In Serbia for example, the Government established a council for combating domestic violence to improve coordination of government bodies and institutions to prevent domestic violence, also covering child, early and forced marriage. In Switzerland, the national action plan (2013–2017) was subjected to an external evaluation process in October 2017 to measure its effectiveness, which in turn informed the Government's next steps for 2018–2021. In Zambia, the Government established an interministerial consortium on ending child marriage in 2016. The consortium consists of 15 ministries coordinated by the Ministry of Gender and is responsible, in collaboration with other key stakeholders, for ensuring regular monitoring and evaluation of the national strategy.

23. Submissions indicated that integrating measures to address child, early and forced marriage within broader protection and policy frameworks, such as those related to gender equality, gender-based violence, child protection, trafficking or education, contributed to addressing societal and community risk factors in specific contexts. Albania adopted a national action plan for the rights of children (2017–2020) with one main strategic goal being the elimination of all forms of violence against children. Burundi reported on strategic interventions undertaken in the education system to prevent girls from dropping out of school, to delay child marriage. Burundi's national strategy on gender equality (2012–2020) and other initiatives related to girls' and women's education included the establishment of local committees to provide prevention, identification and alert services when girls appeared to be at risk of dropping out of school. Turkey reported on the implementation of its third national action plan on combating violence against women (2016–2020), supplemented with its strategy on eliminating child, early and forced marriage.

24. In Azerbaijan, the national action plan on combating human trafficking focuses on children that are at risk of trafficking or exploitation, including for the purpose of child marriage. Chile is developing a national plan for the prevention and eradication of violence, including child marriage, which sets out a series of actions, commitments and results relating to different contexts such as family, school and the community. In Spain, the second national strategy for the elimination of violence against women (2018–2022) will explicitly refer to measures to combat child and forced marriages. Sri Lanka adopted an action plan on domestic violence and a plan of action to address sexual and gender-based violence, such as child, early and forced marriage. Slovenia adopted a national programme of action for Roma people (2017–2021) that provides for actions on early and forced marriages.

V. Engagement with religious, traditional and community leaders, civil society families and the media

25. During the reporting period, UNFPA and UNICEF worked through the Global Programme to Accelerate Action to End Child Marriage to create community dialogues, public service announcements and other far-reaching media campaigns to inform and sensitize community members about the dangers of child marriage and the benefits of investing in adolescent girls. These initiatives have reached more than 1.6 million individuals in targeted countries since 2016, including girls, boys, religious leaders, elders and key decision makers.[42]

26. With support from the UNFPA and UNICEF Global Programme to Accelerate Action to End Child Marriage, Uganda engaged at least 48,000 adult individuals in

[42] Ibid.

community dialogues, resulting in community leaders, religious and other leaders making public commitments to support the eradication of child marriage in their communities. Over 16,000 parents, leaders and community members signed pledge cards to support initiatives aimed at ending child marriage in their communities.[43] In Azerbaijan, more than 100,000 families were informed about the national legislation on child, early and forced marriage, through a dedicated campaign between 2014 and 2017.

27. Several countries reported organizing community dialogues with influential actors, such as traditional and religious leaders. In Australia, capacity-building efforts that started in 2015 with key religious figures continued in 2017. This included the holding of a series of training sessions in each state and territory, between government entities, civil society and faith-based organizations. The aim was to develop the capacity of first responders and frontline service providers to identify and respond to suspected cases of forced marriage. According to media reports, in Zambia, the ministry of chiefs and traditional affairs has enhanced work with traditional leaders in order to address harmful cultural practices. Most of the traditional leaders have now pledged zero tolerance.[44]

VI. Economic empowerment of girls and women, and access to education

28. During the reporting period, several stakeholders have devoted efforts to expand girls' and women's access to economic and education opportunities.

29. With regard to access to quality education, Zambia, with support from the World Bank, launched in 2015 a girls' education and women's empowerment and livelihood project, which will run until 2020. An aspect of the project is the "Keeping the girls in school" initiative, which aims to increase and improve access to secondary education for the most disadvantaged girls in selected districts by covering their tuition fees. In Ethiopia, more than 51,000 girls received support for improved retention and performance at schools through girls' clubs, counselling and training for educators on child marriage.[45] Furthermore, Zambia is taking specific measures to help adolescent girls who are married or pregnant to continue their education, through special measures such as the possibility of taking leave for a year or taking exams from home while pregnant. In the Plurinational State of Bolivia, support was provided to ensure that married and pregnant girls continue and complete studies.

30. Ensuring young people have accurate and comprehensive information about sexual and reproductive health and rights, as well as gender-based violence, are important aspects of building their confidence and capacity to make decisions. Azerbaijan organized campaigns and training sessions that targeted secondary school students, on topics related to human trafficking, reproductive health, domestic violence and child, early and forced marriage. In Bangladesh, the Ministry of Education, in partnership with Plan International and UNFPA, has been piloting comprehensive sexuality education in schools targeting predominantly adolescents from 10 to 14 years of age through Generation Breakthrough Programme. The programme informed them about their sexual and reproductive health and rights and contributed to reducing their vulnerability to exploitation, child marriage and sexual

[43] Ibid.

[44] See "Traditional leaders commit to fighting GBV, child marriage", *Zambia Daily Mail*, 10 June 2017, available at www.daily-mail.co.zm/traditional-leaders-commit-to-fighting-gbv-child-marriage/, and "Hope glimmers as chiefs' mindsets change", *Zambia Daily Mail*, 4 September 2017, available at www.daily-mail.co.zm/hope-glimmers-as-chiefs-mindsets-change/.

[45] UNFPA and UNICEF, *Progress Report 2016*.

harassment within schools. In Burundi, the Government, in collaboration with its partners, launched an awareness raising campaign "zero pregnancy in school up to 2030", which included comprehensive and age-appropriate sexuality education for adolescents in order to prevent unwanted pregnancies and ensuing child marriage. Thailand adopted comprehensive sexuality education as a key pillar of the 2016 Prevention and Solution of Adolescent Pregnancy Act, a law aimed at enshrining the rights of young persons to sexual and reproductive health information and services.[46] Despite these measures, the effective protection of young people requires full access to reproductive and health services, including information and contraception services.

31. Other initiatives targeted girls with low levels of education to offer them vocational or informal education opportunities. For instance, Plan International, through the Yes I Do project trained 64 adolescents in two districts in Malawi using the village savings and loans associations model as a tool of self-initiated economic empowerment. Similarly, Kuwait implemented a project for vocational training and economic support for women and girls who are divorced or widowed. The Commonwealth of Learning "GIRLS Inspire" programme provided in 2017 educational opportunities to 25,000 girls and women who had never been to school or had dropped out owing to barriers such as child, early and force marriage. In Bangladesh and Pakistan for instance, the programme established schools on boats and mobile learning centres for girls in remote areas.[47]

32. Uganda, with the support of the UNFPA-UNICEF Global Programme to Accelerate Action to End Child Marriage, made it possible for over 168,050 girls and boys from 10 to 19 years of age in 55 targeted districts to participate in empowerment and livelihood programmes, through adolescents' clubs, community dialogues, formal and non-formal education, financial literacy workshops and mentoring. The United States of America has funded initiatives on adolescent girls' education in Ethiopia, Paraguay and Zambia, which focussed on girls at high risk of entering child labour, to increase their life skills and access to vocational services.

33. Creating safe spaces for girls to mentor and support each other has been another strategy to prevent child marriage and support girls already married. In Latin America, Plan International, in partnership with the Commission for Children and Youth of the Continental Liaison of Indigenous Women created spaces to provide training in leadership and political empowerment for indigenous adolescent girls and young women, for them to regain control over their lives and actively participate in decisions affecting them. In Sierra Leone, in 2016, UNICEF and UNFPA supported the establishment of 74 new girls' clubs, and UNFPA established 80 new girls' clubs in addition to the already existing 257. These clubs provided at least 4,000 adolescents with life skills and strengthened their capacities to protect themselves from abuse and exploitation.[48]

VII. Awareness raising, training and capacity-building

34. During the reporting period, the revision of text books and curricula was used to challenge gender stereotypes supporting child marriage in Burundi, Serbia and

[46] UNICEF-East Asia and Pacific Regional Office, "Addressing the patterns of child marriage, early union and teen pregnancy in Southeast Asia: a matter of urgency", press release, 16 April 2018, available at www.unicef.org/eap/press-releases/addressing-patterns-child-marriage-early-union-and-teen-pregnancy-southeast-asia.

[47] Commonwealth of Learning, "Education for access, quality and advocacy", available at http://girlsinspire.col.org/wp-content/uploads/2018/04/Education-for-Access-Quality-and-Advocacy-Infocard.pdf.

[48] UNFPA and UNICEF, *Progress Report 2016*.

Zambia. These initiatives were supplemented in Burundi and Serbia with information campaigns to increase students' awareness on how to challenge harmful gender norms linked to child marriage.

35. Some countries have engaged in awareness raising on the impact of child, early and forced marriage among the general public, through conferences, information meetings and publications. For instance, in 2017 the Ministry of Labour, Family Social Affairs and Equal Opportunities of Slovenia organized an international conference on the gender perspective on health care and integration of migrants, which focused on how to combat harmful practices such as child, early and forced marriage. Slovenia further published a handbook for migrant women and men with a focus on harmful practices such as child, early and forced marriage in 2016. The Syrian Arab Republic conducted similar campaigns on health education to raise awareness of the harmful impact of cultural and social behaviour that lead to discrimination and violence, including child and forced marriage. The United States launched a $7 million programme in Afghanistan aimed at addressing child, early and forced marriage, including a campaign highlighting the negative health, economic and social consequences of this practice for girls.

36. UNICEF and UNFPA reported on a television series on adolescence, gender and empowerment, which reached an estimated 2.8 million people in India between October and December 2016. Radio programmes that reached 85 per cent of the population were broadcast in the Niger. Social media messaging on gender-based violence prevention reached up to 35,000 adolescents in Mozambique.[49]

37. National human rights institutions also played a critical role in increasing awareness. The ombudsman in the Plurinational State of Bolivia launched an information and awareness raising campaign in 2016 on child, early and forced marriage. The aim of the campaign was to reach students in El Alto and neighbouring municipalities and inform them about the consequences of child, early and forced marriage. The Mexican National Human Rights Commission reported holding workshops and training courses on the topic of child, early and forced marriages for public servants and the broader society, in particular for indigenous peoples and communities.

38. Increased attention has been paid to training professionals in the education, health and social services sectors and the police in order to recognize risk signs and identify girls in child marriage situations and support them. For instance, France developed information programmes for teachers and other education professionals on ways to combat harmful practices. Switzerland organized a seminar for professionals from various sectors, including the police, social services, schools, integration services, child protection and victim support services, on child, early and forced marriages in 2016 and a national day for professionals on the same topic in October 2017. Currently, Switzerland is financing the establishment of a national competency centre against forced marriages, which will provide accessible advice and support services for survivors and professionals working with them. Uganda, with support from the World Bank, implemented measures to train health, police and judiciary staff on gender-sensitive services for survivors of sexual violence, including child marriage.

39. States expanded their awareness-raising and information efforts, to include sectors such as tourism, border control and immigration. Slovenia conducted specific training sessions on gender-based violence, including child and forced marriage, for staff in accommodation centres and other entities working with migrants.

[49] Ibid., p. 39.

VIII. Protection mechanisms and services for married girls and girls at risk

40. States reported on measures taken to strengthen the mechanisms and services to protect girls and women affected by child and forced marriage. Several countries have provided for specialized services within the police. In Zambia, a victim's support unit within the police is mandated to deal with all cases of gender-based violence, including child and forced marriage. In addition, fast-track courts have been established since 2016 with the aim of accelerating cases and providing remedies to victims of gender-based violence. Albania established child protection units to intervene in emergencies.

41. Several countries enhanced their referral systems and initiated prosecutions against alleged perpetrators. Australia reported that, as at 30 June 2017, the federal police had received 183 referrals involving persons in or at risk of forced marriage. In Serbia, since the amendment of its criminal code in November 2016, the judiciary prosecuted three individuals for criminal offences on the ground of human trafficking for the purpose of forced marriage.

42. Various initiatives underlined the adoption of reporting mechanisms to enhance the protection of the persons at risk of child and forced marriage. The main tools used were either a helpline or regular field visits and watchdog systems, including in school settings. Uganda established a child help line, a national gender-based violence database, an online platform and mobile applications. Oman launched a free hotline for reporting any type of child abuse, which offers guidance and support to victims. Albania, Azerbaijan, Burundi, France and Sri Lanka set up hotlines to receive complaints of gender-based violence and provide free legal advice. In Azerbaijan, the State Committee for Family, Women and Children Affairs, in collaboration with social workers, conducted regular visits in schools and engaged with families at risk of subjecting their children to child marriage. At least 2,000 families were contacted. In Mauritius, 22 Community Child Watch Committees operate in high-risk areas to ensure early detection of children at risk of child marriage. The Ugandan Human Rights Commission has integrated gender-based violence and harmful practices into its human rights monitoring mandate.

43. In 2017, Albania approved a child protection law providing for a comprehensive system for the protection of children, including the establishment of child protection units within every administrative unit in each municipality, which are mandated to assess and monitor the situation of children and families at risk of violence, including of child marriage, coordinate local level protection and response, and intervene in emergency situations such as child marriage.

44. Some countries have developed services for specific situations of vulnerability, such as humanitarian situations or situations of child labour. For instance, Switzerland focuses in its foreign aid on the special needs and vulnerabilities of women and girls in situations of armed conflict, by increasing access to comprehensive services such as medical or psychosocial support. In Australia, the Government's Human Trafficking Visa Framework has enabled people in, or at risk of, forced marriage who are not Australian citizens or permanent residents to remain in Australia and receive support under certain conditions. In Jordan, protection units are established in refugee camps with the aim of preventing or mitigating the consequences of child, early and forced marriage. This is supplemented by a new scheme issued in 2016 for shelters for women at risk of violence, including child marriage, aimed at protecting and offering temporary refuge until their cases are resolved.

45. In 2017 and 2018, the Ministry of Health of Slovenia funded health-care programmes addressing the health of Roma girls and women focusing on forced

marriages, through counselling, care and information on sexual and reproductive health. The Zambian Government set up village-led and health-facility-based "one-stop shops" providing holistic services to victims of gender-based violence, including sexual and reproductive health services.

IX. Recent studies

46. In January 2017, Plan International published qualitative research entitled "Family honour and shattered dreams: girl brides in Mali, Niger and Senegal", highlighting that protection of family, honour and the risk of shame are the driving factors behind child, early and forced marriage in this region. The study concluded that criminalization and strong legalistic approaches towards child marriage are unlikely to produce positive results and instead risk alienating communities and driving the practice of child, early and forced marriage underground, particularly in contexts where the actual age of girls is considered of little importance and readiness for marriage is determined by signs of puberty. Research conducted by Plan International in Bangladesh explained that the key assets with which children and adolescents can overcome the practice include negotiation skills, financial support and supportive and "gender-sensitive" male family members. Other research carried out in Nepal and Ethiopia on the intersectionality between child marriage and disability underlines how disability further aggravates the consequences and impact of child marriage.

47. UNICEF and UNFPA supported a number of studies and evaluations to strengthen the effectiveness and evidence base of their joint Global Programme to Accelerate Action to End Child Marriage. UNICEF and UNFPA worked together on a mapping of child marriage initiatives in South Asia and West and Central Africa. A study conducted by the World Bank and the International Centre for Research on Women, in partnership with Plan International, demonstrates the negative economic impacts of the practice in four key areas (fertility and population, violence, education and labour) and suggests that investing in ending child marriage has considerable economic benefits.

X. Gaps and challenges

48. The submissions reveal increasing efforts to reform laws and policies to effectively prohibit child, early and forced marriage. As noted above, while this is a positive trend, reforms to legal and policy frameworks should not be taken in isolation from other measures to address child, early and forced marriage; furthermore, the law and policy reforms have been slow, with uneven outcomes. Many countries established a minimum age of 18 for marriage in national law and policies, yet exceptions to the rule persist. In other instances, there are discrepancies between civil/common law and customary law, with limited efforts in the prosecution of offenders.[50] The analysis of national plural legal systems continues to reveal some inconsistencies that undermine the victims' right to seek and obtain legal protection. Furthermore, increasingly unstable contexts put the progress achieved at risk.

49. Few efforts have been reported in terms of addressing intersecting and multiple forms of discrimination that place specific groups of women and girls at risk of child and forced marriage based on, inter alia, their age, disability status, ethnicity, gender identity and sexual orientation, geographic location, and social and migration status. Research indicates for instance, that child marriage prevalence in the poorest areas is

[50] Lebanon reported that there is no unified law for marriage and a different law applies to each girl according to her religious community. Some religious communities have set the minimum age of marriage as early as 9 years of age.

2.5 times higher than in wealthy ones. These disparities appear across and within countries and regions.[51]

50. Initiatives on empowering girls through education have delayed the age of marriage in certain settings. But very few submissions reported efforts to provide girls with sustained economic opportunities and to address entrenched economic incentives to child marriage, such as dowries and bride-wealth payments, as well as to address the misperception of marriage as a form of protection.

51. Some States describe efforts to involve the health, social and education sectors at national and local levels in the elaboration and implementation of their national strategies to end child marriage. However, the involvement of other sectors such as economic, legislative and judiciary sectors, as well as systematic and genuine participation by civil society have rarely been reported. From the submissions received, it also appears that scaled-up and sustained efforts are needed to engage with community-based actors, particularly older women, religious and traditional leaders, family members and men and boys as agents of change. Very few submissions focused on accountability mechanisms and efforts by the judiciary to provide legal protection to survivors of the practice.

52. Several submissions stressed the lack of implementation of legal and policy frameworks and funding shortages as significant challenges to ending child, early and forced marriages. Only a few submissions reported that funds supported initiatives, including at the local and community levels.

53. Overall, a lack of reliable data and indicators on child marriage and violence against children remains a major challenge for programming, including in humanitarian contexts. Many surveys and data collection systems, such as civil registration systems, record only formal marriages, while the practice of child and forced marriage often includes a wider set of informal unions, which presents limitations for trend analysis and for comparability.[52] In humanitarian settings, data and information about the situation of displaced girls and women is lacking and often anecdotal. Beyond the online compilation of statistics, the use of information and communication technologies, including digital applications, has yet to be explored.

XI. Conclusions and recommendations

54. **From information received from States since the most recent report of the Secretary-General on this subject, efforts to end child, early and forced marriage have increased at the international, regional and national levels. Continued research on the prevalence and impact of child, early and forced marriage has led to a greater understanding and the development of some evidence-based policy initiatives.**

55. **However, strategies and initiatives continue to not be costed, funded, implemented or enforced at the pace and scale needed. The following actions are recommended to Member States and other relevant stakeholders supporting their efforts:**

(a) **Dedicate more efforts to ensuring reporting on and the implementation of Sustainable Development Goal 5.3 on the elimination of harmful practices such as child, early and forced marriage, as well as related Goals and targets.**

[51] UNICEF, "Ending child marriage: progress and prospects", 2017.

[52] UN-Women, *Turning Promises Into Action: Gender Equality in the 2030 Agenda for Sustainable Development* (New York, 2018).

Link the implementation of the Sustainable Development Goals with the work and recommendations by human rights mechanisms;

(b) Harmonize national legislation in line with international human rights standards on child and forced marriage and amend or remove legal obstacles and loopholes preventing protection against the practice. Ensure that efforts to prohibit child marriage by law concord with efforts to address the root causes of the practice in communities that are particularly affected, including measures to address poverty and the economic incentives to child marriage, and ensure access to quality education, among others;

(c) Develop evidence-based holistic and cross-sectoral strategies and action plans to end child, early and forced marriage, combined with monitoring and accountability mechanisms. Strategies to prevent and respond to child and forced marriage should be grounded in research on the drivers of the practice and patterns of marriage and union in different contexts. Devising effective responses also requires the identification of and data-gathering on informal unions and marriage ceremonies without registration;

(d) Promote consistent data collection systems and statistics on child, early and forced marriage, including in humanitarian settings;

(e) Ensure a comprehensive, cross-sectoral approach in addressing child marriage in legislation, including by removing discriminatory provisions that condone or encourage child marriage, as well as discriminatory legislation relating to inheritance, nationality, labour, access to credit, legal standing and access to sexual and reproductive health services, among others;

(f) Ensure cross-ministerial, gender-responsive and accurate costing, planning and budgeting for effective implementation of national actions and programmes to eliminate child, early and forced marriages. Make information on budget and allocations publicly available;

(g) Address the intersecting factors of discrimination in the adoption and implementation of national strategies and policies to address child, early and forced marriage, including through meaningful consultation with affected groups;

(h) Dedicate more attention to the situation of married girls and boys in terms of access to education, employment and vocational training;

(i) Assess and implement accurately costed and funded national strategies which integrate the needs of women and girls at risk and of survivors of child, early and forced marriages in disaster risk reduction planning, and provide responses to humanitarian situations;

(j) Promote the use of technology for information exchange and the development of programmes that address child and forced marriage, including in humanitarian contexts. Further explore alternative monitoring tools, learning programmes and communication channels using information and communications technologies, to facilitate girls' and women's access to social and economic assets and to protection mechanisms and services. For example, the use of mobile phones and applications to provide open and distance learning and to gather data and report on the practice in remote areas;

(k) Continue working to change attitudes and social norms towards child and forced marriage in communities through strengthened collaboration with faith and community leaders, parents, teachers, women, men and children and by highlighting the negative effects of the practice on girls and the community, including its economic cost, and alternative opportunities for girls;

(l) **Invest in services and programmes that help remove the structural barriers that incentivize child and forced marriage, and prevent children from accessing support within the marriage, including access to safe and quality education, the provision of adolescent friendly health services, and alternatives for married girls and women who chose to leave the marriage;**

(m) **Promote meaningful participation and active consultation with children and adolescents, girls in particular, through education, leadership skills and safe spaces and support networks, to enable them to become agents of change in their communities. Share best practices of effective governmental engagement of youth leadership, girls' networks and adolescent advocacy groups in policy and programming;**

(n) **Invest in programmes to assess the effectiveness of staff training or educational measures, in combating child, early and forced marriages and to inform future measures, including in humanitarian settings where evidence is often anecdotal and unreliable;**

(o) **Strengthen accountability frameworks at the national and international levels. In particular, enhance the role of and collaboration between national human rights institutions, national statistical institutions and other monitoring and reporting frameworks, to better track and consistently report on child, early and forced marriage;**

(p) **Develop collaboration and cooperation between national, regional and global human rights mechanisms, in particular information on progress to end child marriage in national reports to treaty bodies, to regional mechanisms and to other mechanisms such as the universal periodic review. Use the treaty bodies and other human rights mechanisms complaint procedures to ensure greater accountability for child, early and forced marriage.**